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C O N F I D E N T I A L KUWAIT 000062

SIPDIS

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TAGS: PTER PREL PGOV PINR KU

SUBJECT: YEMENI AMBASSADOR TO KUWAIT REJECTS TERRORISM  
FACILITATOR'S OVERTURE TO AQAP

Classified By: Political Counselor Pete O'Donohue for reasons 1.4 b and d

Summary

¶1. (C) According to press reports, Kuwait State Security recently detained UNSCR 1267 designee Mubarak Al-Bathali after he allegedly offered to "mediate" between the GoY and Al-Qaeda in Yemen. Al-Bathali, a Kuwaiti citizen, reportedly conveyed to Yemeni Ambassador to Kuwait Khalid Al-Shaykh both in a four minute phone conversation and separately in a letter, that direct negotiation with AQAP-linked youth was the only way the GoY might avert a defeat in its struggle against the Houthis. The conversation, recorded and posted to YouTube.com, concludes with Ambassador Al-Shaykh's angry rejection of Al-Bathali's overture and ideology. End summary.

UNSCR 1267 Designee Offers AQAP Link to GoY

¶2. (C) According to January 25 press reports, Kuwait State Security detained UNSCR 1267 designee Mubarak Al-Bathali after he allegedly called Yemeni Ambassador to Kuwait Khaled Al-Shaykh to "mediate" between the GoY and Al-Qaeda in Yemen. (Note: Embassy is attempting to obtain further information from KSS regarding the circumstances of Al-Bathali's arrest and will report results septel. End note.) Al-Bathali -- who on the recording informed the Yemeni Embassy receptionist that he was known to Ambassador Al-Shaykh -- pontificated to Ambassador Al-Shaykh that the GoY's "new strategy (of targetting AQAP) was a mistake." In the course of the conversation, which subsequently was posted -- apparently by Al-Bathali himself -- on YouTube.com, Al-Bathali threatened Ambassador Al-Shaykh that Al-Qaeda's efforts in Yemen would escalate unless the GoY "stopped following American orders." Infiltration of Yemen's -- as well as Kuwait's -- porous borders, Al-Bathali continued, could be easily funded, and large numbers of restless and armed youth were ready to turn Yemen into a "wasteland."

¶3. (C) (Note: In the conversation with the Yemeni Ambassador, Al-Bathali referred to himself familiarly as "Bou (Arabic - father of) Abdelrahman." MNF-I transferred Mubarak Al-Bathali's son Abdelrahman to GoI custody in August 2009; he had been held by MNF-I since his 2004 arrest for participation in an attack on Iraqi border police. For details on (father) Mubarak Al-Bathali's history of legal entanglements with the authorities, see [http://www.intelink.sgov.gov/wiki/Mubarak\\_Al-Bathali](http://www.intelink.sgov.gov/wiki/Mubarak_Al-Bathali). End

note.)

#### Al-Shaykh Angryl Rejects Al-Bathali's Ideology

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¶4. (C) In contrast to Al-Bathali's calm pontificating, Ambassador Al-Shaykh appeared to become incensed at Al-Bathali's remarks and defended the GoY's commitment to provide security for its people. In response to Al-Bathali's castigation of the United States as interfering in Yemeni affairs, Al-Shaykh responded simply that "America, like other nations, defends its citizens and its interests." Ambassador Al-Shaykh ended the approximately four-minute conversation by shouting angrily at Al-Bathali and claiming that in the ongoing struggle with the Al-Houthi and AQAP, "the victims are Yemeni."

#### Al-Bathali Stalking Al-Shaykh?

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¶5. (C) Ambassador Al-Shaykh confirmed to Ambassador on January 27 the above-mentioned details of the exchange, including that Al-Bathali had recorded the conversation. He added that Al-Bathali sent a similar message through the Embassy ten days earlier, in writing, to Yemeni President Ali Abdullah Saleh. After trying to approach Al-Shaykh at a local hotel, Al-Bathali subsequently called him. Immediately following the call, Al-Shaykh stated, he contacted MFA officials who followed up with KSS to take Al-Bathali into custody for questioning.

#### ¶6. (U) Subsequent YouTube.com commentary on the audio

conversation as posted on the website ranged from accolades for the Yemeni Ambassador, ridicule of Al-Bathali, and condemnations of "Al-Qaeda, Taliban and Wahhabi terrorists" to praise of Al-Bathali and Al-Qaeda and hatred toward the Shi'a.

#### Comment:

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¶7. (C) This episode is somewhat akin to the Al-Ajmi suicide bombing in Mosul (note: the former GTMO detainee who escaped scrutiny and returned to the battlefield. End note.) in its potential to embarrass the GoK, which earlier had dismissed Al-Bathali as 'mentally disturbed.' Although the GoK managed to convict Al-Bathali for "inciting jihad" in January 2009 the sentence was reduced on appeal to a fine of just over USD 10,000 four months later. The GoK had also requested UN approval to unfreeze his salary on humanitarian grounds. The Kuwaitis' genuine anxiety over expanding and destabilizing AQ presence in Yemen appears to have galvanized them into taking action. It remains to be seen whether Al-Bathali can be prosecuted successfully absent a law criminalizing terror finance and on the basis of this phone conversation alone, but this may prove a catalyst for increased government efforts to push TF legislation through. There is always the possibility, of course, that others will point to Al-Bathali's posting of this exchange on YouTube.com as sure evidence of his madness. End comment.

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